

If a county auditor receives more than one request for a plat and the requests involve parts of identical districts, the auditor shall forthwith prepare a plat which in the auditor's opinion best serves the educational interests of the inhabitants of the districts or areas affected.

(c) The plat shall show:

- (1) Boundaries of the proposed district, as determined by the county auditor, and present district boundaries,
- (2) The location of school buildings in the area proposed as a new district and the location of school buildings in adjoining districts,
- (3) The boundaries of any proposed separate election districts, and
- (4) Other pertinent information as determined by the county auditor.

Sec. 2. Minnesota Statutes 1990, section 124.494, is amended by adding a subdivision to read:

Subd. 7. CONSOLIDATION. A group of districts that operates a cooperative secondary facility that was acquired, constructed, remodeled, or improved under this section and implements consolidation proceedings according to section 122.23, may propose a temporary school board structure in the petition or resolution required under section 122.23, subdivision 2. The districts may propose the number of existing school board members of each district to become members of the school board of the consolidated district and a method to gradually reduce the membership to six or seven. The proposal shall be approved, disapproved, or modified by the state board of education. The election requirements of section 122.23, subdivision 18, do not apply to a proposal approved by the state board. Elections conducted after the effective date of the consolidation are subject to the Minnesota election law.

Presented to the governor April 3, 1992

Signed by the governor April 7, 1992, 2:50 p.m.

CHAPTER 410—H.F.No. 2465

An act relating to veterans; clarifying the definition of "veteran;" clarifying procedures for searches of veterans' home residents' rooms or property; amending Minnesota Statutes 1990, sections 197.447; and 198.33, subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1990, section 197.447, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

197.447 VETERAN, DEFINED.

The word "veteran" as used in Minnesota Statutes, except in sections 136C.13, 196.21, 197.971, and 243.251, means a citizen of the United States or a resident alien who has been separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, or who has met the minimum active duty requirement as defined by Code of Federal Regulations, title 38, section 3.12a, or who has active military service certified under section 401, Public Law Number 95-202. The active military service must be certified by the United States Secretary of Defense as active military service and a discharge under honorable conditions must be issued by the Secretary.

Sec. 2. Minnesota Statutes 1990, section 198.33, subdivision 1, is amended to read:

Subdivision 1. **SEARCHES PROHIBITED.** Residents of the Minnesota veterans homes have the right to a legitimate expectation of privacy in their persons and property against unreasonable searches and seizures. A search of a resident's room or property may be conducted only when necessary to protect the residents from weapons, illegal drugs, or alcohol, if possession is prohibited by the board, and is subject to the following:

(a) Prior to conducting a search of a resident's room or property, the administrator or the administrator's designee shall provide written authorization to conduct the search. This authorization must identify the resident whose room or property is to be searched, state the nature of the risk to the health or safety of that resident or to other individuals in the home, set forth the facts which establish that the risk exists and the source of those facts, and particularly describe the area to be searched and the property to be seized. A separate authorization must be completed for each resident whose room or property is to be searched.

(b) The resident shall be informed of the reasons necessitating a search of the room or property and shall be present during the conduct of the search if the resident requests to be present. A copy of the ~~administrator's~~ written authorization to conduct the search must be given to the resident.

(c) If property or other items are taken, a written receipt describing the property or items taken must be given to the resident.

(d) The provisions of this section do not restrict the entry by employees of the home into a resident's room or into areas where the personal possessions of residents are stored for the purpose of providing care or services to the resident or for housekeeping and maintenance purposes. The provisions of this section do not apply to inspections conducted by governmental agencies for the purpose of assessing compliance with state or federal laws and regulations.

(e) Unauthorized searches or seizures by employees of the Minnesota veterans homes may be grounds for dismissal.

New language is indicated by underline, deletions by ~~strikeout~~.

Presented to the governor April 3, 1992

Signed by the governor April 7, 1992, 2:52 p.m.

CHAPTER 411—H.F.No. 1969

An act relating to alcoholic beverages; prohibiting the city of Bloomington from prohibiting certain retail sales of alcoholic beverages.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. BLOOMINGTON; ALCOHOLIC BEVERAGES SALES.

Notwithstanding any provision of home rule charter, ordinance, or general or special law, the city of Bloomington may not prohibit retail sale of alcoholic beverages by reason of the fact that an on-sale establishment is located within 1,000 feet of a school existing within a retail and entertainment complex and operated by more than one school district or operated by one school district as agent for one or more other school districts.

Any previously adopted city charter or ordinance contrary to the provisions herein shall only be invalid to the extent it violates this section.

Sec. 2. LOCAL APPROVAL.

This act is effective the day after the city council of the city of Bloomington files a certificate of approval in compliance with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor April 3, 1992

Signed by the governor April 7, 1992, 2:54 p.m.

CHAPTER 412—H.F.No. 1862

An act relating to the city of Minneapolis; extending authority to guarantee certain loans; eliminating community resource funding for way to grow program; amending Laws 1988, chapter 594, section 6; repealing Minnesota Statutes 1990, section 466A.06, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1988, chapter 594, section 6, is amended to read:

Sec. 6. SMALL BUSINESS LOANS.

New language is indicated by underline, deletions by ~~strikeout~~.